

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:01-CR-141-1-BO

UNITED STATES OF AMERICA,)
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DONALD MARLOWE JEFFERS.)

ORDER

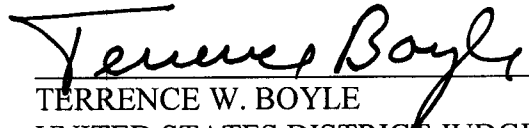
The Court has before it the Government's Motion [DE 77] dated May 5, 2011, in response to this Court's Order of April 27, 2011[DE 75]. The April 27 Order directed the Government to identify the appropriate party who shall assume immediate custody and control over the Defendant. Considering the Government's Motion and the Defendant's Response thereto, the Court finds as follows:

1. The Defendant is currently in the custody of the United States Marshals Service based on the detention order issued in this case.
2. In this Court's Order of April 27, 2011, the Court respectfully recommended a review of the Defendant's conditions of release in the ancillary proceeding arising under 18 U.S.C. §4246 before the Honorable Richard E. Dorr in the Western District of Missouri.
3. In its instant Motion, the Government requests that the Defendant remain in the custody of the United States Marshals Service until Judge Dorr reviews the Defendant's conditions of release in the §4246 case.
4. The Defendant has filed a Response [DE 78], requesting that he be released from the custody of the Marshal Service so that he may resume his conditional release.

NOW THEREFORE, based on the foregoing and on the evidence presented at the March 16, 2011 hearing before this Court, for good cause the Government's Motion [DE 77] is

GRANTED. The Defendant shall remain in the custody of the United States Marshals Service until Judge Dorr reviews the Defendant's conditions of release in the ancillary proceeding in the Western District of Missouri. The Defendant's Motion for Release From Custody [DE 73] is DENIED AS MOOT.

DONE AND ORDERED, in chambers, this 10 day of May, 2011.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE